

The Hon. John C. Coughenour

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
CESAR VALDEZ-SANUDO,  
Defendant.

NO. CR20-0217-JCC

[PROPOSED]

**PRELIMINARY ORDER OF  
FORFEITURE**

THIS MATTER comes before the Court on the United States' Motion for a Preliminary Order of Forfeiture ("Motion") seeking to forfeit, to the United States, Defendant Cesar Valdez-Sanudo's interest in the following property ("Subject Property"):

1. The real property located at 21916 123rd Avenue NE, Arlington, Washington 98223, titled in the names of Cesar Valdez-Sanudo and Yvette Yesenia Olguin, Trustees of The Olguin-Valdez Family Trust, together with its buildings, improvements, appurtenances, fixtures, attachments, and easements ("Arlington Property");

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2. \$11,610 in United States currency, seized on or about December 16, 2020, from Defendant Yvette Yesenia Olguin and Defendant Cesar Valdez-Sanudo's residence in Everett, Washington;
3. \$110,135.64 in United States funds, seized on or about December 18, 2020, from Bank of America, N.A. Acct. -6007, held in the name of The Olguin-Valdez Family Revocable Living Trust;
4. \$68,610 in United States currency, seized on or about December 16, 2020, from a red Infiniti sedan;
5. One Taurus 1911 Commander .45 cal. pistol, bearing serial number NMT41658;
6. One gold-plated Colt 1911 .45 cal. pistol, bearing serial number GV208581;
7. One Pistola Vilar 7.65 cal. pistol, bearing serial number 55553;
8. One S.C. Nova Grup S.R.L. NAK-9 9mm Pistol, bearing serial number RON2043884, with oil can suppressor;
9. One Colt 1911 .45 cal. pistol, bearing serial number CCS024792;
10. One Kimber Micro Carry STS .380 cal. pistol, bearing serial number T0012683; and
11. Any associated ammunition and firearm accessories.

The Court, having reviewed the United States' Motion, as well as the other papers and pleadings filed in this matter, hereby FINDS entry of a Preliminary Order of Forfeiture is appropriate for the following reasons:

- The Subject Property is forfeitable pursuant to 21 U.S.C. § 853, as property constituting or derived from proceeds obtained as a result of Conspiracy to Distribute Controlled Substances, a lesser included offense as that changed in Count 1 of the Superseding Indictment; pursuant to 18 U.S.C. § 982(a)(1), as property that was involved in or traceable to Defendant's

commission of Conspiracy to Commit Money Laundering, as charged in Count 3 of the Superseding Indictment; and pursuant to 18 U.S.C. § 924(d), by way of 28 U.S.C § 2461(c), as firearms and ammunition involved in his commission of Carrying a Firearm During and in Relation to a Drug Trafficking Crime; and,

- In the Plea Agreement he entered on June 15, 2022, Defendant agreed to forfeit the Subject Property pursuant to 21 U.S.C. § 853, 18 U.S.C. § 982(a)(1), and 18 U.S.C. § 924(d), by way of 28 U.S.C § 2461(c). Dkt. No. 377 ¶ 13.

NOW, THEREFORE, THE COURT ORDERS:

- 1) Pursuant to 21 U.S.C. § 853, 18 U.S.C. § 982(a)(1), 18 U.S.C. § 924(d), by way of 28 U.S.C § 2461(c), and Defendant's Plea Agreement, Defendant's interest in the Subject Property is fully and finally forfeited, in its entirety, to the United States;
- 2) Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)-(B), this Preliminary Order will be final as to Defendant at the time he is sentenced, it will be made part of the sentence, and it will be included in the judgment;
- 3) The Department of Justice, Drug Enforcement Administration, and/or its authorized agents or representatives, shall maintain the Subject Property in its custody and control until further order of this Court;
- 4) Pursuant to Fed. R. Crim. P. 32.2(b)(6) and 21 U.S.C. § 853(n), the United States shall publish notice of this Preliminary Order and its intent to dispose of the Subject Property as permitted by governing law. The notice shall be posted on an official government website – currently [www.forfeiture.gov](http://www.forfeiture.gov) – for at least 30 days. For any person known to have alleged an interest in the property, the United States shall, to the extent possible, provide direct written notice to that person. The notice shall state that any person, other than the defendant, who has or claims a legal interest in the property must

1 file a petition with the Court within sixty (60) days of the first day of publication of the  
2 notice (which is thirty (30) days from the last day of publication), or within thirty (30)  
3 days of receipt of direct written notice, whichever is earlier. The notice shall advise all  
4 interested persons that the petition:

- 5 a. shall be for a hearing to adjudicate the validity of the petitioner's  
6 alleged interest in the property;
- 7 b. shall be signed by the petitioner under penalty of perjury; and,
- 8 c. shall set forth the nature and extent of the petitioner's right, title, or  
9 interest in the property, as well as any facts supporting the  
10 petitioner's claim and the specific relief sought.

11 5) If no third-party petition is filed within the allowable time period, the  
12 United States shall have clear title to the property, and this Preliminary Order shall  
13 become the Final Order of Forfeiture as provided by Fed. R. Crim. P. 32.2(c)(2);

14 6) If a third-party petition is filed, upon a showing that discovery is necessary  
15 to resolve factual issues it presents, discovery may be conducted in accordance with the  
16 Federal Rules of Civil Procedure before any hearing on the petition is held. Following  
17 adjudication of any third-party petitions, the Court will enter a Final Order of Forfeiture,  
18 pursuant to Fed. R. Crim. P. 32.2(c)(2) and 21 U.S.C. § 853(n), reflecting that  
19 adjudication; and,

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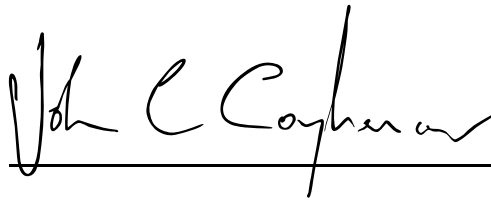
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1           7)     The Court will retain jurisdiction for the purpose of enforcing this  
2 Preliminary Order, adjudicating any third-party petitions, entering a Final Order of  
3 Forfeiture, and amending the Preliminary Order or Final Order as necessary pursuant to  
4 Fed. R. Crim. P. 32.2(e).

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6           IT IS SO ORDERED.

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8           DATED this 30th day of January, 2023.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

THE HON. JOHN C. COUGHENOUR  
UNITED STATES DISTRICT JUDGE

Presented By:

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